

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK

AHLAM ALWAQZA, Individually and as President/Owner
of Crane Deli & Grocery, Inc., a/k/a Crane Deli & Grocery,
Plaintiffs,

-against-

THE CITY OF SCHENECTADY, NEW YORK,
Bureau of Code Enforcement,
Defendants.

STIPULATION FOR
ORDER OF REMAND

Civil Case No.: 1:17-CV-427

(DNH/TWD)

WHEREAS this matter was originally commenced as a civil action in the New York State Supreme Court, Schenectady County, under Index #2017-592 and included various federal claims; and

WHEREAS this matter was duly removed from the New York State Supreme Court by the Defendant; and


WHEREAS upon Plaintiffs'/Petitioners' desire to discontinue and waive all federal claims against the Defendants with prejudice as to such federal claims and to serve and file an Amended Verified Petition to remove all federal claims and remand the case back to the New York State Supreme Court, and Defendants do not oppose this desire.

NOW, THEREFORE, the parties, by their respective attorneys of record in this Court, hereby Stipulate and agree as follows:

1. Amended Petition. Within ten (10) business days of the signing of this Stipulation by the respective attorneys for the parties herein, Plaintiffs'/Petitioners' attorney herein shall serve by mail on the Defendants' attorneys herein, an Amended Verified Petition and Supporting Affidavit, copies of which are attached hereto, which service Defendants' attorneys shall accept subject to and reserving all their rights and remedies in the New York State Supreme Court. Defendants will have twenty (20) days upon receipt of the Amended Petition and supporting papers to respond to same by service on Plaintiffs'/Petitioners by mail.
2. 50-h Hearing. Parties acknowledge that the demanded New York General Municipal Law 50-h Hearing of the Plaintiff/Petitioner was conducted by the Defendants' attorneys herein on September 11, 2017, as ordered by the Court.

3. Remand. The Parties hereby consent that this Court make and enter an Order of Remand to remove this case from this Court and send it back to the New York State Supreme Court, Schenectady County, the Court in which it was originally commenced, and having the further effect of terminating all further proceedings in this Court and the jurisdiction of this Court.

Dated: October 3, 2017.



DENNIS F. IRWIN
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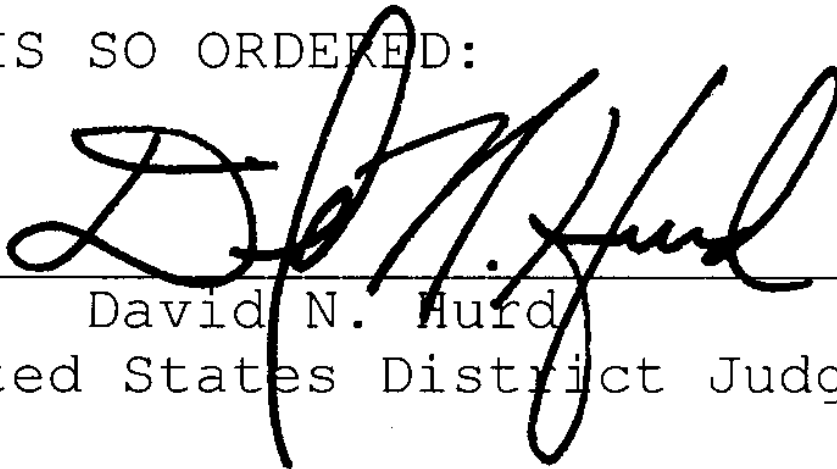
Lemire, Johnson & Higgins, LLC

Dated: 10/2/, 2017. By:



APRIL J. LAWS, ESQ.
Attorneys for Defendants
2534 Rte. 9, PO Box 2485
Malta, NY 12020
(518) 899-5700

IT IS SO ORDERED:



David N. Hurd
United States District Judge

Dated: October 16, 2017

Utica, NY